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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
09/895,152	07/02/2001	David R. Brown	2119-0160P	9526
2292	7590 03/18/2003			
BIRCH STEWART KOLASCH & BIRCH			EXAMINER	
PO BOX 747 FALLS CHUF	RCH, VA 22040-0747		CHACKO DAVIS, DABORAH	
			ART UNIT	PAPER NUMBER
			1756	5
			DATE MAILED: 03/18/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Deboral: Chacko-Davis	j. *			(11
## Examiner Daborah Chacko-Davis 1756 ## The MAILING DATE of this communication appears on the cover sheet with the correspondence address **Period for Reply** A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. • Extensions of time may be available under the provisions of 31 CFR 1.36(a). In or event, however, may a epuly be triefy filed without \$1.00 (1) and the 31K (9) (MONTHS from the maining date of this communication. • If NO period for regly is specified above, the maximum shaubury priorite of will apply and will elegies \$20 (8) MONTHS from the maining date of this communication. • If NO period for regly is specified above, the maximum shaubury priorite will apply and will elegies \$20 (8) MONTHS from the maining date of this communication. • Paids to region with the set or extended period for regly is y shalled, cause the splication to be communication. • Paids to region shauburs of the set of this communication, even if streety fleed, may reduce any shauburs provided by the Date of this communication, even if streety fleed, may reduce any shauburs provided by the paids of this communication of this communication, even if streety fleed, may reduce any shauburs provided by the paids of the set of this communication, even if streety fleed, may reduce any shauburs provided by the paid of this communication. **Status** 1)			Application No.	Applicant(s)
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Application/Control Number: 09/895,152

Art Unit: 1756

DETAILED ACTION

Election/Restrictions

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-28, are drawn to a method, classified in class 430, subclass 322.
- II. Claims 29-35, are drawn to a product, classified in class 430, subclass 5.

 The inventions are distinct, each from the other because of the following reasons:
- 2. Inventions I and II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the method of forming a mask does not require melting a portion of the photosensitive material to reduce surface roughness error.
- 3. A telephone call was made to Mr. David R. Anderson on March 4, 2003 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

4. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim

remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daborah Chacko-Davis whose telephone number is (703) 306-5923. The examiner can normally be reached on M-F 9:30 - 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark F Huff can be reached on (703) 308-2464. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7718 for regular communications and (703) 305-3599 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-

1193.

dcd

March 10, 2003.

MARK F. HUFF SUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 1700